

**ASSEMBLY BILL**

**No. 1296**

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**Introduced by Assembly Member Hancock**

February 22, 2005

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An act to add Chapter 7 (commencing with Section 66690) to Title 7.2 of the Government Code, relating to resource conservation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1296, as introduced, Hancock. San Francisco Bay Area Water Trail.

Existing law establishes the jurisdiction of the San Francisco Bay Conservation and Development Commission. Existing law also establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing a program of agricultural land protection, area restoration, and resource enhancement within the coastal zone.

This bill would enact the San Francisco Bay Area Water Trail Act. The act would establish the San Francisco Bay Water Trail to link access to the waters of the San Francisco and San Pablo Bays and the Sacramento River Delta that are available for navigation by human-powered boats and beachable sail craft, and provide for diverse water-accessible overnight accommodations.

The bill would require the State Coastal Conservancy to lead a collaborative partnership, including, but not limited to, the San Francisco Bay Conservation and Development Commission, to facilitate the establishment of the trail. On or before January 1, 2009, the conservancy would be required to prepare and submit to the Legislature a plan for the trail.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 7 (commencing with Section 66690) is added to Title 7.2 of the Government Code, to read:

CHAPTER 7. SAN FRANCISCO BAY AREA WATER TRAIL

66690. This chapter shall be known, and may be cited as, the San Francisco Bay Area Water Trail Act.

66691. The Legislature finds and declares all of the following:

(a) The public has an interest in the San Francisco and San Pablo Bays and the Sacramento River Delta as one of the most valuable natural resources of the State of California, a resource that gives special character to the San Francisco Bay area. San Francisco and San Pablo Bays and the Sacramento River Delta are the central features in an interconnected open-space system of watersheds, natural habitats, scenic areas, agricultural lands, and regional trails.

(b) Water-oriented recreational uses of the San Francisco and San Pablo Bays and Sacramento River Delta, including kayaking, canoeing, sail boarding, sculling, rowing, car-top sailing, and the like, are essential to the public welfare of the San Francisco Bay area. With loss of public open space, the public increasingly looks to the bays and delta, the region's largest open space, for recreational opportunities. Water-oriented recreational uses are an integral element of the recreational opportunities that span the San Francisco Bay area and add to the community vitality and quality of life the citizens of the region enjoy.

(c) Water trails have been designated throughout the United States and have proven to be an important vehicle for promoting water-oriented recreation for citizens of all economic means. Water trails can inform about natural, cultural, and historic features and foster public stewardship of these resources. Water trails aid in urban renewal of industrial waterfronts. In combination with hiking, biking, and horse trails, water trails are an important element in the development of multiuse and multiday recreational opportunities that in turn have positive regional economic benefit.

(d) Bay Access, Incorporated is a nonprofit corporation dedicated to the creation of the San Francisco Bay Water Trail.

1 Bay Access, Incorporated has identified a series of existing and  
2 potential access points for the San Francisco and San Pablo Bays  
3 that encircle the bays. Furthermore, the San Francisco Bay  
4 Conservation and Development Commission is committed to  
5 developing a comprehensive policy plan for the San Francisco  
6 Bay Water Trail.

7 66692. For the purposes of this chapter, the area referred to as  
8 the San Francisco Bay area includes navigable waters and  
9 tributaries under tidal influence that are part of or feed into the  
10 San Francisco and San Pablo Bays and the Sacramento River  
11 Delta. The San Francisco Bay Water Trail jurisdiction includes  
12 navigable waters and tributaries under tidal influence from a line  
13 connecting Point Bonita with Lands End, to the Benicia Bridge at  
14 the northeastern boundary, and to the southern end of San  
15 Francisco Bay.

16 66693. (a) The San Francisco Bay Water Trail is hereby  
17 established.

18 (b) The San Francisco Bay Water Trail shall be developed in a  
19 timely manner.

20 (c) The San Francisco Bay Water Trail, to the extent feasible,  
21 shall link access to the waters of the San Francisco and San Pablo  
22 Bays and the Sacramento River Delta, that are available for  
23 navigation by human-powered boats and beachable sail craft, and  
24 shall provide for diverse water-accessible overnight  
25 accommodations.

26 (d) The San Francisco Bay Water Trail shall be developed and  
27 enhanced in a manner consistent with the regulations and policies  
28 of the San Francisco Bay Conservation and Development  
29 Commission or any successor regulatory agency.

30 (e) The San Francisco Bay Water Trail shall be developed in a  
31 manner consistent with the right to access navigable waters of the  
32 State of California contained in Section 4 of Article 10 of the  
33 California Constitution.

34 66694. (a) In order to facilitate the establishment of the San  
35 Francisco Bay Water Trail, the State Coastal Conservancy shall  
36 take the lead in a collaborative partnership with Bay Access,  
37 Incorporated and other agencies, including, but not limited to, the  
38 San Francisco Bay Conservation and Development Commission  
39 and the Association of Bay Area Governments, as well as other  
40 interested state, county, and district commissions, parks and park

1 districts, ports, other regional governmental bodies, nonprofit  
2 groups, user groups, businesses, and other interested persons,  
3 groups, and entities.

4 (b) The goal of the partnership will be the planning and  
5 implementation of the San Francisco Bay Water Trail and the  
6 integration of the water trail with other regional trails in a  
7 multiuse, multiday recreational system. The plan shall address  
8 funding, design, maintenance, management guidelines,  
9 interpretation, and stewardship, as well as a regional  
10 implementation strategy that also addresses the need for multiday  
11 overnight travel.

12 (c) On or before January 1, 2009, the State Coastal  
13 Conservancy shall prepare and submit the plan to the Legislature.